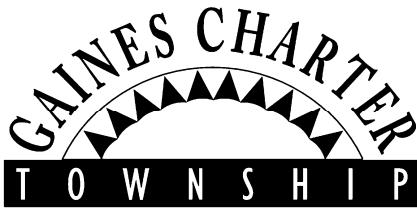


GAINES CHARTER TOWNSHIP  
PLANNING AND ZONING DEPARTMENT  
2007 ANNUAL REPORT



## TABLE OF CONTENTS

Section	Page
<b>Executive Summary</b>	2
<b>Department Mission Statement</b>	2
<b>Current Planning Division</b>	3
Building Permits	3
Development Review	4
Variances	6
Land Divisions	6
<b>Long-Range Planning Division</b>	8
Master Plan	8
Ordinance Updates	9
Rezoning	9
Grant Writing	10
Parks and Recreation	10
<b>Code Enforcement Division</b>	11
<b>Department Administration</b>	13
Planning Commission	13
Zoning Board of Appeals	14
Department Organization	15

## EXECUTIVE SUMMARY

Section 5 of the Township Planning Act (Public Act 168 of 1959) requires the Planning Commission to *“make an annual written report to the Township Board concerning its operation and the status of planning activities, including recommendations regarding actions by the township board related to planning and development.”*

The **Annual Report** provides the Planning Commission and Township Board with an update of development activities within the Township and the meeting activity of both the Planning Commission and the Zoning Board of Appeals during the previous year.

The **Annual Report** is separated into the following divisions; **Current Planning, Long-Range Planning, and Code Enforcement**. A fourth area of discussion involves **Department Administration**.

The **Annual Report** offers valuable information that may be relevant to the Planning Commission, Township Board and Zoning Board of Appeals. This information is further utilized by the Planning and Zoning Department in the preparation of a **Work Program** for the upcoming year. The **Work Program** will guide the department’s actions throughout the upcoming year.

## DEPARTMENT MISSION STATEMENT

*In our capacity as Planning and Zoning Department staff, we are committed to providing the Planning Commission, Zoning Board of Appeals, and Township Board with professional assistance so that together we may work towards the vision created in the Township Master Plan. As staff, we see ourselves as the facilitators between the many various stakeholders within the Township and strive to develop consensus on the multitude of land use issues that come before the Township. As always, our ultimate goal is to provide for the health, safety, and general welfare of the community as a whole. We take seriously this obligation and strive to accomplish this goal in every facet of our department’s actions.*

## CURRENT PLANNING DIVISION

The Current Planning Division is divided into the following sections: **Building Permits**, **Development Review** (site plans, special land uses, PUD amendments and plats), **Variances** and **Land Divisions**.

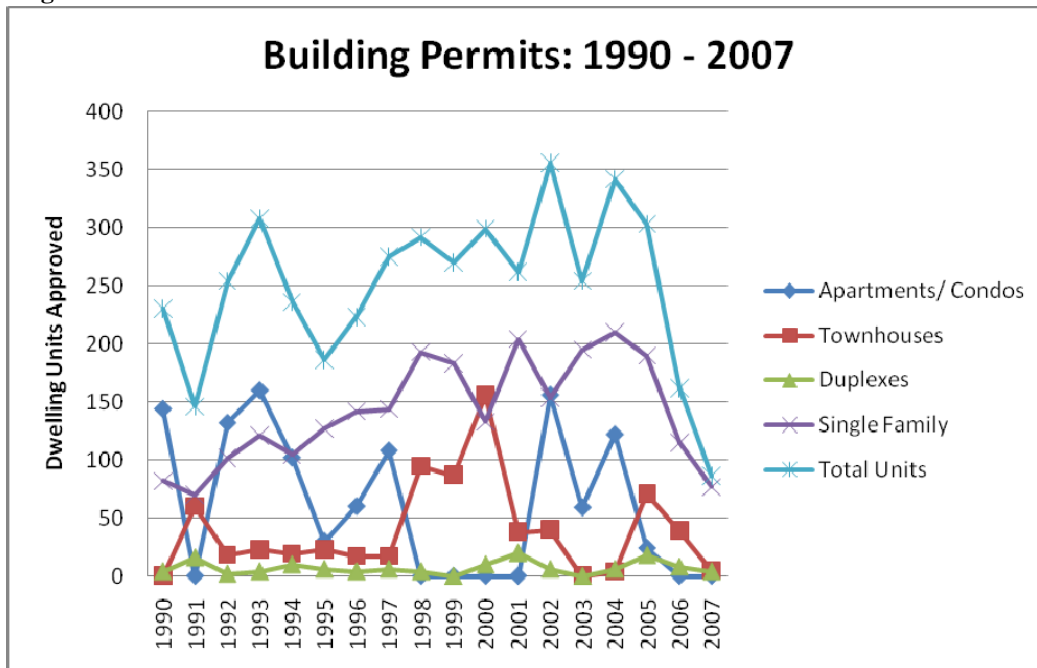
### BUILDING PERMITS

Table 1 and Figure 1 depict the number of dwelling units that have been approved.

**Table 1**

Building Permits					
	Apartments/ Condos	Townhouses	Duplexes	Single Family	Total Units
1998	0	95	4	193	292
1999	0	87	0	183	270
2000	0	156	10	133	299
2001	0	38	20	204	262
2002	156	40	6	154	356
2003	59	0	0	195	254
2004	122	4	6	210	342
2005	24	71	18	190	303
2006	0	39	8	115	162
2007	0	5	4	77	86

**Figure 1**



The number of building permits issued for dwelling units during 2007 is the lowest in the Township since at least 1990. The slow down in residential construction is indicative of the broader state-wide economy, as well as the national drop in home values and home sales, and the ongoing mortgage crisis involving sub-prime lending.

## DEVELOPMENT REVIEW

Table 2 contains a list of development reviews that were conducted by the Planning Commission, Township Board, Township staff, or a combination of the three.

**Table 2**

Development Name/Address	Request Type	Description	Status
Avalon Pointe PUD	PUD Amendment	Reconfiguration of undeveloped portion of the PUD (Avalon Meadows).	Approved
Arthur's Dream PUD	PUD Amendment	Creation of 3 <sup>rd</sup> lot.	Approved
Gaines Marketplace PUD	PUD Amendment	Windshield repair business.	Denied.
Crystal Springs PUD	PUD Amendment	New clubhouse, residential and commercial buildings.	Approved
Kentwood Schools PUD	PUD Amendment	Billboard request.	Pending
South Crossings Vet Center	Special Use	Relocation to 76 <sup>th</sup> and Kalamazoo	Withdrawn
Design 1 PUD	Site Plan Review	Phase I	Approved
Fencing Forever	Site Plan Review	68 <sup>th</sup> & Dutton Industrial	Approved
Horizons Development Center	Site Plan Review	Building Addition	Approved
Hubach's Service	Site Plan Review	New Construction	Approved
KPS - 9 <sup>th</sup> Grade Building	Site Plan Review	Building Addition	Approved
KPS - Plant Services Building	Site Plan Review	New Construction	Approved
Holiday Sales	Staff Review	Christmas Trees	Approved
Various	Staff Review	Wireless colocations	Approved
Kentwood Community Church	Staff Review	Chapel Addition	Approved
Kentwood Community Church	Staff Review	Parking Area	Approved
Pine Rest	Staff Review	Adult Lockdown Renovation	Approved
Pine Rest	Site Plan Review	Chapel/Conference Center Renovation	Approved
Van Laan Construction	Staff Review	Building Addition	Approved
Providence CRC	Special Use	Freestanding Sign	Approved
961 61 <sup>st</sup> Street SE	Special Use	Accessory Building	Approved
50 Coleman Street SE	Special Use	Nonconforming Use	Denied
Option 1 Credit Union	Special Use	Freestanding Sign	Approved
7035 Dale Hollow SE	PUD Amendment	Side Yard Setback	Denied
50 Coleman Street SE	Conditional Rezoning	R-3 to C-2	Approved
Stoneco 100 <sup>th</sup> Street Operation	Yearly Review	Annual Operating Plan	Approved
8780 Breton Avenue SE	Special Use	Accessory Building	Approved
6729 Hanna Lake Avenue	Special Use	Freestanding Sign	Approved

Pizzeria Uno	PUD Amendment	Freestanding Sign	Approved
7070 Dutton Avenue SE	Special Use	Accessory Building	Approved
3541 Mistywood Drive	Special Use	Accessory Building	Approved
2130 Crystalstone Court SE	Special Use	Group Day Care Home	Approved
Walgreens	PUD Amendment	Freestanding Sign	Approved
3492 92 <sup>nd</sup> Street SE	Special Use	Keeping of Horses	Approved
8315 Hawkshead	Special Use	Group Day Care Home	Approved

As with residential development, the Township has experienced an overall slowdown in non-residential construction. Again, this trend is most likely due to the general slowdown in the State economy. However, the lack of vacant, available commercial property may also be playing a role in this trend.

During 2007, the Planning Commission approved or denied 13 requests for special use approval. Please see Table 3 for a 10-year history of special use requests.

**Table 3**

Year	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
# of Decisions	36	33	20	27	29	29	29	23	18	13
Change from Previous Year	6%	-8%	-39%	35%	7%	0%	0%	-21%	-22%	-28%
# of Staff Recommended Approvals	32	28	19	26	25	27	25	20	12	11
# Approved	35	32	19	27	28	28	27	21	13	11
% Approved	97%	97%	95%	100%	97%	97%	93%	91%	93%	85%
% Recommended by Staff for Approval	89%	85%	95%	96%	86%	93%	86%	87%	86%	85%

Accessory buildings continue to be the most common type of special use request. Please see Table 4 for some statistics on recent trends on accessory building special use permits.

**Table 4**

	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
# of Requests	20	20	10	16	17	16	18	12	8	4
Avg. Sq. Ft. in "A-B"	2043	2928	0	4392	2000	0	1733	1800	3248	0
Avg. Sq. Ft. in "AR"	3203	2130	2980	2454	2452	2313	2845	1781	2749	9440
Avg. Sq. Ft. in "RL-10"	960	1143	0	978	1020	1140	2221	0	0	863
Avg. Sq. Ft. in "RL-14"	950	1482	1236	408	1666	732	586	1008	0	1200
Avg. Sq. Ft. in "R3"	0	0	484	2590	0	528	828	576	0	0

Although special use approval for larger accessory buildings continue to be the most common type of special use request, the overall number of those requests has been falling considerably. Changes to the zoning ordinance were made in 2006 that doubled the amount of accessory building floor area allowed by right. Additionally, the economy may also be playing a role in the number of requests. It will take a few more years before we have enough data to discern if the recent changes to the zoning ordinance have resulted in fewer requests for larger accessory buildings.

### VARIANCES

Table 5 shows a 10 year history of variance requests:

**Table 5**

	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
<b>Total Number of Variances Requested</b>	9	15	22	14	11	8	20	15	11	2
<b>% Change in Total from Last Year</b>	200%	67%	47%	-36%	-21%	-27%	150%	-25%	-27%	-82%
<b>Total Number Approved</b>	8	10	19	12	7	8	14	11	10	2
<b>% of Total Requests Approved</b>	89%	67%	86%	86%	64%	100%	70%	73%	91%	100%
<b>Number Recommended for Approval by Staff</b>	4	9	18	8	4	2	8	5	7	1
<b>% of Total Recommended for Approval by Staff</b>	44%	60%	81%	57%	36%	25%	40%	33%	64%	50%
<b>Number of Use Variances Requested</b>	1	1	0	0	0	0	1	1	0	0
<b>Number of Use Variances Approved</b>	0	1	0	0	0	0	1	1	0	0
<b>% of Total Requested as Use Variances</b>	11%	7%	0%	0%	0%	0%	5%	6%	0%	0%

The Zoning Board of Appeals received only 2 requests in 2007, which was the lowest amount in the last 10 years. One would like to think that the reason behind this is that our zoning ordinance is well written and able to accommodate most development. However, a slowdown in the economy often translates into a slowdown in building activity, thus resulting in fewer requests. That being said, the Township's recent 5 year process of updating the zoning ordinance has most likely played a large role in the decreasing requests for variances.

The Zoning Board of Appeals received no requests for use variances or zoning ordinance interpretations, or an appeal of a decision made by the Zoning Administrator.

### LAND DIVISIONS

The creation of parcels based on the State Land Division Act also plays a role in the development of land in the Township. Therefore, it is important to identify any trends involving administrative land divisions. To that end, please see Table 6 for a review of land divisions approved in 2007 that resulted in new parcels being created.

**Table 6**

Address	Section #	Size of Parent Parcel(s)	Size of Child Parcels	Comments
6205 Hanna Lake Avenue SE	3	7.74	.23, .52, 1.48, 1.51, .85, 1.68, 1.47	Multiple parcels involved in MDOT auction
1679 68 <sup>th</sup> Street SE	4	5.24	1.14, 1.48, .80, .58	Design 1 PUD
6968 Kalamazoo Avenue SE	9	1.68	.561, .561, .561	New parcels contain duplexes
7090 Dutton Industrial Drive	11	39.8	4.26, 2.83, 3.79, 7.08, 7.53, 4.75, 2.61, 2.65, 2.49	Property located off the East Paris cul-de-sac
3607 84 <sup>th</sup> Street SE	14	132.26	3.15, 129.11	
8876 Breton Avenue SE	22	10.1	5.009, 5.091	
3591 92 <sup>nd</sup> Street SE	23	10.03	5.02, 5.01	
8745 Patterson Avenue SE	24	13.94	10.04, 3.9	
9999 Sunrise Ridge	26	10.2	2.27, 7.93	Arthur's Dream PUD
790 92 <sup>nd</sup> Street SE	30	7	3.23, 3.77	
10065 Eastern Avenue SE	31	22	2.0, 20	
10644 Eastern Avenue SE	32	20.52	17.55, 2.97	

Overall, it was a relatively slow year in terms of administrative land divisions. No overall trends have been identified.

## LONGE-RANGE PLANNING DIVISION

The Long-Range Planning Division is divided into the following categories; **Master Plan, Ordinance Updates, Rezoning, Grant Writing, Parks & Recreation and Public Education.**

### MASTER PLAN

In 2007, the Township began on an update to the 2002 Master Plan, which is currently ongoing. This update will consist of an amendment to the Master Plan and Land Use Plan whereby detailed land use plans will be developed for certain geographic sub-areas within the Township. The following is a list of actions that have been taken to date on this project:

- Selection of LSL Planning, Inc. as the project consultant.
- Preparation of the Community Snapshot Report of the Township.
- Preparation of the Background Report on Sub-Area #3.
- Stakeholder Interviews for Sub-Area #3.
- Steering Committee meeting on Sub-Area #3.
- Advisory Public Hearing held on Sub-Area #3.
- Preparation of the Background Report on Sub-Area #1(Dutton).
- Steering Committee meeting on Sub-Area #1.

As a part of the 2002 Master Plan, an Implementation chapter was prepared to help guide future planning activities. **Table 7** lists the proposed implementation tasks and their current status.

**Table 7**

Task	Status	Comments
Evaluate and Revise the Zoning Ordinance	Complete	Minor tweaking of the new zoning can be expected.
Inventory Key Natural and Cultural Features	Incomplete	These tasks have been done on a case by case basis through PUDs, but not on a Township-wide basis.
Develop A Program for Natural Buffers and Scenic Easements	Incomplete	
Create A Residential Cluster Ordinance	Complete	
Develop Performance Standards for the PUD District.	Incomplete	We have general standards of review for the rezoning process, but no design, architectural, etc. standards.
Broaden Sewer and Water Policy To Facilitate Development	Ongoing	The Township has created a High Pressure Water District.
Prepare A Sub-Area Plan for the Dutton Village Area	Ongoing	Will be conducted as part of the Master Plan update.
Prepare a Sub-Area Plan for the Cutlerville Village Center	Incomplete	This may be included as part of future Division Avenue planning.
Prepare a Corridor Plan for Kalamazoo Avenue	Incomplete	No action taken on this item.
Establish Consistent Standards	Incomplete	No formal action taken on this

for Calculating Density		item. We have been consistent in measuring density using the net density approach, but with no formal standards.
Improve Public Understanding of Growth Management Benefits	Ongoing	This is always an ongoing task.
Promote the Purchase of Development Rights	Ongoing	It is currently the Township's policy to support the county PDR program, but to not utilize local dollars.
Promote Transfer of Development Rights	Incomplete	Recent changes to the Zoning Enabling Act may allow for limited TDR opportunities.
Improve Non-Motorized Transportation Network	Ongoing	This has been done on a case-by-case basis (Cobblestone, Cooks Crossing, Prairie Wolf Park)

### ORDINANCE UPDATES

2007 saw the following updates to the zoning ordinance:

- Revision to "Chapter 23 - Penalties" to allow for the enforcement of the zoning ordinance through municipal civil infractions as opposed to a criminal misdemeanor.
- Revision of "Chapter 21 - Zoning Board of Appeals".
- Revision of the regulations pertaining to amateur radio equipment.
- Revision of the regulations regarding freestanding portable signs.
- The addition of a chapter regulation lighting for site plan review items.
- The addition of a section regulating non-PUD site condominium development.

With these efforts, the Township completed its multi-year effort to replace its 1979 zoning ordinance. The new zoning ordinance was adopted by the Township Board on December 10, 2007 and became effective on December 25, 2007.

The Township also began on a process to codify all of the Township's ordinances into one "code of ordinances". Although the zoning ordinance will most likely not be included in the code, the Planning Department has been working closely with the Township Supervisor and Township Clerk on this project. This project is expected to be completed in 2008.

### REZONINGS

Table 8 details the rezoning requests that came before the Township in 2007.

**Table 8**

Address	Request	Status	Comments
50 Coleman Street SE	Conditional Rezoning from R-3 to C-2.	Approved.	
6720 Hanna Lake Avenue SE	RL-10 to I-1	Approved	Also included 14 adjacent parcels to the

			north, which were added to the request by staff.
7285 Eastern Avenue SE	PUD Rezoning from RL-10	Pending.	
7516 Eastern Avenue SE	RL-14 to RL-10	Pending.	To allow for the construction of a two-family dwelling.

### Grant Writing

The Planning Department did not pursue any grant opportunities in 2007. However, staff did begin constructing a database that will contain possible grant opportunities.

### Parks and Recreation

The Planning Department staff continued in their role as non-voting members of the Parks and Recreation Committee. In 2007, the committee and Township Board focused its efforts on infrastructure improvements to Prairie Wolf Park. These improvements included the following:

- Paving of the first portion of trail.
- Installation of tables, benches and trash receptacles.
- Paving of an 8-space parking area near the barns.
- Improvements to the exterior of the barns.
- Planting of trees in various sections of the Park.

## CODE ENFORCEMENT DIVISION

In 2007, the Planning Department made some important changes in the processing of ordinance violations. Most importantly, the Township has begun enforcing the zoning ordinance, as well as certain other ordinances, by utilizing municipal civil infractions, as opposed to criminal misdemeanors.

The Department also began utilizing BS&A Software ([www.bsasoftware.com](http://www.bsasoftware.com)) to record and track violation cases. This software is also being used on an everyday basis by the Assessing, Building, and Water & Sewer Departments.

In 2005 and 2006, the department handled 102 and 101 enforcement cases respectively. In 2007, this number increased to 160. Overall, the number of code enforcement cases appears to be increasing, although some of this may be a result of the improved tracking of cases as well as more staff time devoted to the efforts.

Figure 2 provides a breakdown of the types of enforcement cases that were processed in 2007.

Figure 2

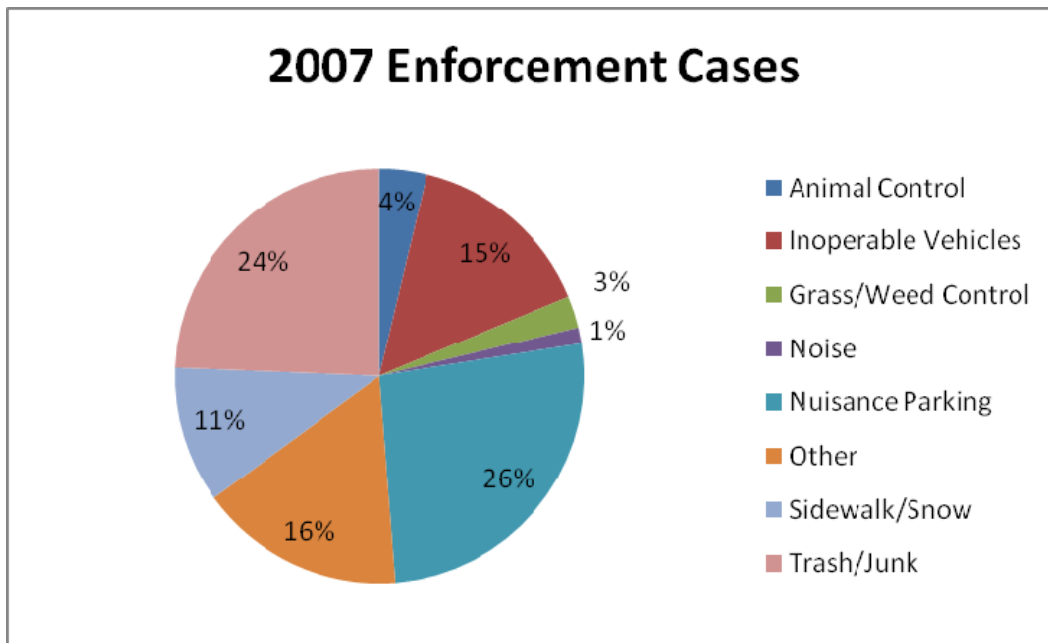
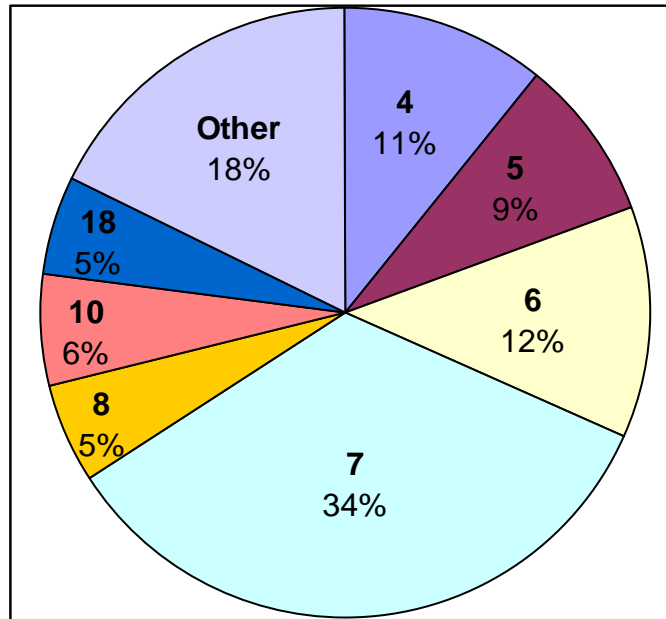


Figure 3 lists the Sections of the Township where the majority of enforcement cases have occurred over the last 3 fiscal years. Obviously, the majority of enforcement cases are occurring in the more populated areas of the Township such as Sections 7.

Figure 3



Although civil infractions are not an answer to all of the difficulties presented by ordinance violations, the Department views it as an improvement over the previous system. It will take a few years of data before we are able to determine if the new system has had any deterrent effect.

## DEPARTMENT ADMINISTRATION

The Department Administration Division is divided into the following sections;  
**Planning Commission, Zoning Board of Appeals, and Department Organization.**

### PLANNING COMMISSION

**Table 9** lists the members of the Planning Commission during 2007.

**Table 9**

Member	3-Year Term Ends	Member Since	Officers
Rob DeWard	December 31, 2009	1990	Chairperson
Tim Haagsma	Township Trustee	2002 (1992 - 1997)	Vice-Chairperson
Louis Waayenberg	December 31, 2008	1997	Secretary
Tim Zandbergen	December 31, 2010	1993	
Ted Essenburg	December 31, 2009	2001 (1981 - 1990)	
Ronnie Rober	December 31, 2008	2002	
Lani Thomas	December 31, 2010	2006	

During 2007, The Planning Commission held 12 regular meetings, 1 special meeting requested by an applicant, and a workshop meeting with the Township Board and Zoning Board of Appeals. For the regular meetings, the average starting time was 7:03 p.m. and the average end time was 8:38 p.m., for an average meeting time of 1 hour and 35 minutes. The attendance for these meeting is shown in **Table 10**.

**Table 10**

Regular Meeting Attendance							
	DeWard	Essenburg	Haagsma	Rober	Waayenberg	Thomas	Zandbergen
Jan	X	X	X	X	X	X	ABSENT
Feb	X	X	X	X	ABSENT	X	X
Mar	X	X	X	X	ABSENT	X	X
Apr	X	ABSENT	ABSENT	X	X	X	X
May	X	ABSENT	X	X	X	X	ABSENT
Jun	X	X	ABSENT	X	X	X	X
Jul	X	X	X	X	X	X	X
Aug	X	ABSENT	X	X	X	X	X
Sep	X	X	X	X	X	X	X
Oct	X	X	X	X	ABSENT	X	X
Nov	X	X	X	X	X	X	X
Dec	X	X	ABSENT	X	ABSENT	ABSENT	X
Special Meeting Attendance							
Jun	X	X	ABSENT	X	X	X	X
Workshop Meeting Attendance							
Mar	x	ABSENT	x	x	ABSENT	x	ABSENT

## ZONING BOARD OF APPEALS

Table 11 lists the members of the Zoning Board of Appeals in 2007:

**Table 11**

Member	3-Year Term Ends	Member Since	Officers
Don Drenth	December 31, 2009	1979	Chairperson
Ted Essenburg	December 31, 2010	1996	Vice-Chairperson
Dick Steigenga	December 31, 2009	1990	Secretary
Dan Fryling	Township Trustee	2000	
Gayle McCrath	December 31, 2010	2002	
Molly Stanley	December 31, 2007	2001	Alternate

In 2007, the Zoning Board of Appeals held two regular meetings and a workshop meeting with the Township Board and Planning Commission. The average length of time for the regular meetings was 42 minutes. The average beginning time was 7:01 p.m. and the average end time was 7:43 p.m. The attendance for these meetings is shown in Table 12.

**Table 12**

Regular Meeting Attendance						
	Drenth	Essenburg	Steigenga	Fryling	McCrath	Stanley
Jan	No meeting					
Feb	No meeting					
Mar	ABSENT	X	X	X	X	X
April	ABSENT	X	X	X	X	X
May	No Meeting					
Jun	No meeting					
Jul	No meeting					
Aug	No meeting					
Sept	No meeting					
Oct	No meeting					
Nov	No meeting					
Dec	No meeting					
Workshop Meeting Attendance						
Mar	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT	ABSENT

## DEPARTMENT ORGANIZATION

Planning Director

**Brian Tingley**

Hired: May 2005 as Assistant Planner

Promoted to Planning Director in July 2006

Assistant Planner

**Megan Sharp**

Hired: October 2005

Promoted from Planning and Zoning Clerical Assistant in January 2007

Planning and Zoning Clerical Assistant

**Jennifer Lamb**

Hired: May 2007

The job responsibilities within the Planning and Zoning Department are divided between the Planning Director, Assistant Planner, and the Planning and Zoning Clerical Assistant. Both the Planning Director and Assistant Planner are full time positions and fulfill the role of Zoning Administrator, while the Planning and Zoning Clerical Assistant is a part-time position. In general, the Planning Director is responsible for overseeing staff and the functioning of the department as a whole and is primarily involved in the Long-Range Planning and Department Administration efforts. The Assistant Planner is primarily involved in the Current Planning and Code Enforcement efforts, while the Planning and Zoning Clerical Assistant provides administrative support within the department. However, there is overlap among all tasks within the department.

Besides the Current Planning, Long-Range Planning and Code Enforcement efforts, the department also accomplished the following tasks during 2007:

### **Filing System**

Throughout 2007, the Department has been reorganizing the way that hard copy (paper) files are organized. Historically, the Department has organized paper files first by the type of request (i.e. Zoning Board of Appeals, Special Use Permit, Site Plan Review), and then in chronological order by year, and then in alphabetical order by name. However, this form of organization has one major drawback in that someone who is not familiar with when a certain request occurred will have great difficulty finding a specific file.

To remedy this, the Department has begun to reorganize every file within the Department on a Parcel # basis. Every type of request, whether it is a variance or a site plan review, etc., is now filed according to its parcel number. Eventually, every type of document that is parcel specific will be filed according to that parcel number. We expect to complete this project in 2008 and would be happy to show anyone the work that we have accomplished to this point.

### **Processing of Violations**

As indicated earlier in the report, the Department has begun utilizing BS&A Software to record and track ordinance violations.

### **Maps**

Starting in 2007, staff began working closely with REGIS staff to create new maps for the Township. The types of maps will include the zoning map, street map, water and sewer map, etc. Partnering with REGIS on this project will help to save the Township money in production costs. We will still be paying for the printing of maps, but not for the production, as we have in the past with an outside consultant.